

AN EIGHTEENTH

18

ADDRESS

TO THE

FREE-CITIZENS

AND

FREE-HOLDERS

OF THE

CITY of *DUBLIN*.



D U B L I N :

Printed by JAMES ESDALL, at the Corner of
Copper-Alley, on Cork-Hill, 1749.

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AN EIGHTEENTH ADDRESS, &c.

IN my last, I endeavored to open to your View, MY MOST HONORED FRIENDS and FELLOW-CITIZENS, the legal and true Constitution of our City. I am now, agreeable to my Promise, to attempt to point out the *Breaches* made therein, and by whom, in order to discover the most effectual Method of Reparation.

By my *Seventeenth Address*, I hope it is made plane and evident, that all the *Estates and Revenues*, all the *Liberties and Franchises*, *Privileges* and *Immunities*, the *Institution*, as well, as the *Election*, and *Appointment*, of all the *Magistrates*, *Officers* and *Servants* of the Corporation of the City of *Dublin*, were all granted to, and vested in, the CITIZENS at large, and their *Heirs and Successors*, FOR EVER; and, that no Power on Earth had, or could have, any Right to *invade*, *lessen*, *abridge*, or *alter* them, without the *Consent* of the *Citizens*.

AND yet, to our inexpressible Grief and Astonishment! We find, that scarce any *Essentials* of this Constitution now remain! We have a considerable *Rent Roll* of lost, or alienated Estate, under the Title of *Lands unknown*; We have some scattered *Fragments* of a vast Estate, some *casual* Revenues, and some *unknown, uncertain* Privileges, yet remaining; but they are no longer in the Hands, Disposal, or under the Influence of the *legal Proprietors*, the CITIZENS; We retain the Name and somewhat of the outward Form of the Corporation; We have a *Lord Mayor*, *Sherifs*, *Commons* and *Aldermen*, such,

as they are ; but, none of them is, in any sort, elected, or appointed by, the only *legal* and *just* *Electors*, the *CITIZENS* ! In short, though the Corporation is yet, worth about eight thousand Pounds a Year, it has been run in Debt, about fourty thousand Pounds, since the Year 1714. Nor are the *Citizens* possessed of one *essential* *Right*, or *Privileges*, except the bare, empty Name of *Freeman* ; and a *Vote*, by Permission of the *Great One's*, for the Election of *Members of Parliament*.

LET us enquire, what is become of all these remarkable Advantages, which should be in common to many *thousands* of *Citizens* ? — We shall find they have, for the most part, been *wasted*, *squandered*, *alienated*, or *lost*, by the *Corruption*, *Supiness*, or *Ignorance*, of no greater a Number, than *twenty-five*, whose *Successors* now hold the *Remnant* in their Hands, and use and apply it to no better Purposes, than their *Predecessors* did the whole.

I THINK I have already made it plainly appear to You, that *Aldermen*, as such, were no *essential* part of the Corporation of this City ; and consequently, that they could have no Power, Privilege, or Authority above the *Citizens*, but what they derived from, and held in Trust for, *THEM*, their lawful *Constituents*. It will appear the more strange, that these very Men, the *Creatures* and *Servants* of the *CITIZENS*, should, in a very short time, become their *Lords* and *Masters*, and *usurp* all the Power, Authority, Rights and Privileges of the *Citizens*, regardless of their *Trust*, and of every Principle of Justice, Law, and common Reason ; by which they have beggared, reversed, or overturned the antient wise and noble Constitution of the City.

So regardless have these *Guardian Sages* been of their *Trust*, and of the very *Ends* of their *Institution*, that they seem to have lain constantly in wait, for the Destruction of their *Ward* : For, we find, that in every Commotion in the State, they took an Opportunity of wresting something, or other, under the Specious

Form



Form of Law, from the Assembly; till they had at length, so overloaded themselves, as by *disgorging* sometimes, to discover the *Theft*.

BEFORE the Reign of *Charles* the first, I can not find, the *Aldermen* presumed, or pretended to exercise any kind of Authority, beyond that of *Counsellors*, without an *Act* of *Assembly*.

THE Election, or Nomination of the chief Magistrate was vested in them, by Act of Assembly, in the Reign of that crooked, bloody Tyrant, *Richard* the third. By this Act, the time of the Magistrate's serving, to wit, for *one whole Year*, is limited; A Penalty is imposed upon the Person Elected, for Neglect or Refusal; and upon every *Juree*, or *Alderman*, neglecting to attend at the Election.

To eschew Contention in this Election, it was, by *Act* of *Assembly*, in the eleventh Year of the Reign of Queen ELIZABETH, ordered, that every *Alderman* should take the Office of *Mayoraltry* by *Rotation*, according to *Seniority*.

THIS *Act* of *Assembly* continued in Force, till the Year 1652. When the *Commons* Petitioned against it, and desired the *Assembly* to lay down a Course for the Election of their *annyal Mayor*, more agreeable to the Original Constitution of the Corporation. Whereupon, it was then enacted, that the *Mayor* should thenceforth, be *Yearly elected* out of such of the *Aldermen*, as had not yet served the Office, or in Default of such, out of the *Board* at large; the Election to be made by the *Mayor* and *Aldermen*, calling to their Assistance the *Sherifs*, and sixteen of the *Commons*.

THIS By-Law was not permitted to continue long in Force: It was made soon after, to give way to the Fluctuation of Faction; For, in 1657, the old *Rotation* was again restored and continued in Use, till the *New-Rules*, made in the Year 1672, wrested the Election of *Lord Mayor*, *Sherifs* and *Treasurer* out of the Assembly, and from under their Influence and Direction, by vesting it in the *Lord-Mayor* and *Aldermen* alone.

I RECITE these *Acts of Assembly*, to shew, that the Power and Authority of the *Assembly*, in the Election of the chief Magistrate, was then acknowledged, as much, as it has been since despised, in other Instances, by the *Aldermen*.

IN the 18th of Queen ELIZABETH, we find a remarkable *Act of Assembly*, declaring and confirming the Power and Authority of the *Assembly* in the Election of *Aldermen* and *Sherifs*, *Deputy-Aldermen* and *Constables of Wards*; whereby, a Penalty is laid on every Person elected an *Alderman*, or *Sherif*, according to the *Antient Manner* used in this City, who shall refuse, or neglect to serve. This *Antient Manner* could be no other, than that recited in King *Charles* the first's Charter, mentioned in my seventeenth Address, and in the Charter of *Edward* the sixth, which was by the *Mayor*, *Bailifs*, *Commons*, and *Citizens*, or Corporation at large.

FROM these *Recitals*, it appears, that these Elections must then have been in the *Assembly*; otherwise, they could have had no Power, or Authority to make *By-Laws*, or *Ordinances* to direct, restrain or alter them.

LET us now consider, how so great, so violent a Change could be wrought, as to wrest the Disposal of the Estate, Revenues and Franchises, and the Election and Appointment of the several Officers and Servants of the Corporation, out of the Hands of the *Commons* and *Citizens*. This could be done lawfully, by two means only; either by an *Act of Assembly*, or an *Act of Parliament*. And these must be made upon a Presumption, that such a Change must be for the Advantage of the City, or the Kingdom at large, without which Considerations, the *Consent* of the *Citizens*, absolutely necessary in each *Act*, could not be possibly obtained, and consequently, neither *Act* could be legally made.

FROM the best Accounts, I can draw, from a strict Review of the *Charters* and *Records* of this City, it appears evidently to me, that the *Jurees*, or *Aldermen* have

have constantly lain in Wait to possess themselves of all the Treasure, Power and Privileges of the whole Body Corporate of this City : That by Artful means, under Tyrannical Kings, and corrupt Administrations, or in some violent Shocks, or Commotions in the State, they have gained their Ends, at three or four remarkable Periods, and from three or four different Causes ; In the Reigns of *Richard* the third, in the great *Usurpation* of *Oliver Cromwell*, in the Reigns of *Charles* the second, and of *GEORGE* the first.

THE first remarkable Incroachment, that I can Trace, among those, the *Jurees*, or *Aldermen* made upon the Property or Privileges of their *Ward*, the Citizens, was that of their wresting the Election of *Mayor* out of the *Common Council*. This was done under the Reign of a *Faction* King, who waded through civil Blood and Rapine to a Throne, in which he afterwards, supported himself, by deep Cunning and Artifice ; Pretending great Regard to the Constitution in general, enacting many popular Laws, and granting to several Cities, particularly to this, some excellent Charters. At the same time, that he used all imaginable means to collect and place all the Power of the *many* in the hands of the *few* ; for the same Reason, that his Brother *NERO*, the *Roman Tyrant*, wished, “ that all the rest of Mankind had but *one Head*, that he might cut it off at *one Blow*.” Thus *Richard* the third kept up a *Faction* in his *Parliament*, even in every City, in every County in his Dominions ; and placed as much of the Power of the *whole*, in the Hands of a *few*, as possible ; as the surest and most effectual expedient, by which he might in time get them entirely into his own Hands, and so bereave his *Minions* first, and then the whole People in general of their Sacred and inestimable *Patrimony*, LIBERTY : For, popular Power and Freedom could not, he knew, be consistent with the Safety and private Interest of an *Usurper*, who owed all his Power and Grandeur to a blind, temporising, mercenary

mercenary *Faction*; the Handle which every weak, or wicked King of these Realms, has used, to *enslave* his People. But, Providence viewed us with a gracious Eye; protracted the falling-on of the deserved, the impending Curse of *Slavery*, for the Sake of some *few* righteous Men; and by cutting short, the Thread of this *Monarch's* Life, put an End to his monstrous *Tyranny* and abominable *Usurpation*.

THIS King's Death probably prevented the *Jures* making any further Progress in the Destruction of the City. The Power they then obtained did not, in all likelihood, sit long easy upon the Necks and Shoulders of the *Citizens*: For, we find, that, though it was never since entirely restored; yet, the *Assembly* has often interfered and altered the Number and Quality of the *Electors* of the chief Magistrate; as it appears, by the *By-Laws* above recited.

THE next violent Step taken by our *Guardians*, the *Aldermen*, was under an other *illegal Tyrant*, who broke Faith with the *true Friends* and *Affertors* of LIBERTY; and being secretly actuated by *vain Glory* and *sordid, selfish Views*, put on the Mask of *Liberty*, joined with the brave, the good, the great HAMPDEN, PYM, and others; till he got him self placed at the Head of the *Army*; where, by the Dint of matchless *Cunning* and *Hypocrisy*, he so wrought upon the Minds of the *Soldiery*, as to make them the most violent *Enthusiasts*. With these, he sought, not to complete the good Work, begun by the true PATRIOTS, to restore and reform the *distempered State*; but, to get *him self* into the Throne, whence he had just plucked an other *Tyrant*; and by their Means, to overturn the national Constitution, in all Points, and to rule without the Titule, but with all the Pomp and Power of an absolute *Monarch*, with a *Mock-Parlement*, chosen under the *Influence* of a *standing Army*; who, by the Force of their Swords, afterwards *culled* the *Members* for the Purposes, and by the arbitrary Direction of their *Master*.

SUCH

SUCH was the Government of *England*, under the Protectorate of OLIVER CROMWELL. It had the Name of a *Common-Wealth*, and retained something of the Form of a popular Administration; but, *despotic, monarchical Government, arbitrary Power, and military Force* were never known raised to an higher Pitch, in these Kingdoms, than under this *Usurper*.

BUT, however, civil Government might have been defaced in *England*, under this extraordinary Governor, it was still worse, all Traces of it were absolutely effaced, in *Ireland*: We were put under an absolute *military Government* all over this Kingdom, especially in *Dublin*.

OUR COMMONS and CITIZENS were then scattered abroad; our *Assemblies* were broken and discontinued, and the Dictates of *Jones*, and other Governors under CROMWELL, were *implicitly* received, and *passively, servilely*, obeyed.

IN such a Conjunction, it was, that a *Faction* among the *Aldermen* thought fit to fish in the *turbid Waters*. They took the Advantage of these direful Distractions and Confusions, and under the *Sanction*, probably, under the *Guidance* of the Government, set up a *new Tribunal, a new Mode* of Government in the City. This was to be composed of the *Mayor and Table of Aldermen*. They assumed a Power of meeting and sitting on every *Monday*, to consult upon the Affairs of the City. They enlarged their *assumed* Power, by taking upon them to transact the proper Business of the Assembly, without consulting, or regarding the now dispersed *Commons* and broken *Citizens*. They set up a *Journal* in the Year 1658, called, the *Monday-Book*. This they have since opposed to the *Rolls* of *Acts of Assembly*, the only legal and authentic Records of corporate Acts. In this *Journal*, the first Order is, that the *Mayor and Table of Aldermen* do meet on *Mondays*, &c. whence it is called, the *Monday-Book*. And the next, *that Application be made to his Highness, to wit, OLIVER CROMWELL, for a Confirmation of the royal Charters of this City*. Whence
you

you may judge of the Rise and of the temporising Spirit of this *sordid Faction*.

THIS *Journal* has ever since been continued ; and though it has ever been kept, as *secret*, and as much in the *dark*, as the Transactions of the *Aldermen* are, till their Effects are felt ; though every Entry therein be made by the *Clerk* of the *Aldermen*, who has sometimes been an *Alderman*, without any Check, Restraint, or Direction of the *Commons*, or *Citizens*, or without admitting the *Commons* to inspect, or view them, even when they were quoted by the *Aldermen* against *them* ; yet, are they now set up, as the principal *Records*, the very *Archives* of the City. In them are promiscuously entered, the *Elections* of all the *Magistrates*, *Officers* and *Servants* of the City, for the most Part ; as well before, as since the *New-Rules*. And he, that searches no further, might contentedly take these for the *true* and *legal Records* of the City. But, I shall shew their proper Weight and Authority in due Place.

FOR some Time, the *Cromwellian Aldermen* ruled the City, as *absolutely*, as the Government permitted them, and with very little Regard to the *Commons* or *Citizens*. At the *Restoration*, they readily changed Sides, hid their disloyal *Monday-Books*, and ran in with the Deluge of Immorality, Irreligion, Corruption and Slavery, that attended that abandoned Profligate, *Charles* the Second, from his Infancy, to his Exile, from his Exile, to his Coronation, and from his Coronation, to his Grave.

THE *Commons* and *Citizens*, who saw the *Form* of Government restored, naturally, though vainly, expected and looked for the *Essence*. They opposed the *Usurpations* of the *Aldermen*, and petitioned the *Assembly* for a general Redress of Grievances, and a full Restoration of the Rights and Privileges of the *Commons* and *Citizen*, and an adequate Punishment for Transgressors. This Petition stands recorded in the *Monday-Books* ; but, we find no regular Proceeding held thereupon. However, from the *Records* of the *Acts* of *Assembly*,

Assembly, we find, that all the Elections, which were not given up by *By-Laws*, as that of *Mayor*; or, which were not afterwards, under the Sanction of Law, wrested from the *Assembly*, were sometimes permitted to run in the legal Channel, that is, shared with the *Commons* and *Citizens*; which silenced their Murmurs: For, although the *Aldermen* met weekly, and therefore received the Proposals, or Petitions of Suiters, or Candidates, and determined, or chose, as much as in them lay, and accordingly entered their Determination, or Election in their *private Journal*, or *Monday-Book*, wherein an Entry could bind the *Board* alone; yet, it is evident, that all such Determinations and Elections were, in some subsequent *Assembly*, submitted to the Approbation of the *Commons*, who usually met, but quarterly; without which, the Acts of the *Board* could not, before the *New-Rules*, bind any, but themselves; and therefore, could not, as *corporate Acts*, be entered on the *Assembly-Rolls*, which are the only *authentic Records* of corporate Acts, which must bind alike, all Members of the Community.

To make this Matter more plane, it is necessary to inform you, that since the Year 1658, the Elections of all Magistrates, Officers, and Servants of the City, are, for the most Part, entered in the *Monday-Book*, thus;

By the *Mayor* and *Tab'e of Aldermen*; or, BY the LORD MAYOR and BOARD of ALDERMEN, such a Man is chosen a *Mayor*, a *Sherif*, an *Alderman*, a *Coroner*, and so forth.

THIS might stand a very strong *Record* for the *Aldermen*, if it did not appear, that though their Elections sometimes slipped down, or passed unobserved, and uncensured, by *ignorant*, *supine*, or *corrupt Commons*; yet, for the most Part, all the Elections made by the *Aldermen*, and entered in their *Monday-Books*, were ratified and confirmed, by the *Assembly*, and stand entered on the Face of *their Records*, thus;

MEMORANDUM, OR BE IT REMEMBERED, that in an *Assembly*, or Common-Council, held at the *Tbolse* of

of this City, such a Day, such an Year, in the Reign of such a King, such a Man, Mayor, or Lord Mayor, and such and such Bailiffs, or Sheriffs; the following Rules, Laws, Statutes, and Ordinances, were agreed upon, made and established, &c.

SUCH a Petition granted, such a Man admitted free, such a Man chosen a Sheriff, an Alderman, a Treasurer, a Coroner, &c. by the Authority of this Assembly, by the Authority aforesaid, hereby, or the like.

Now, all the Elections of Aldermen, from the Recital in the Charter of K. Charles the First, in my *seventeenth Address*, Page 32, by which it appears, the Election was then in the Body Corporate at large, or in the *Assembly*; appear to have been made, in and by, the *Assembly*, and stand accordingly recorded in the *Rolls*, in the Years 1626, 1627, 1631, 1633, 1635, 1642, 1643, 1645, 1655. And, though the Election of many of the Aldermen, since the instituting the *Monday-Book*, are first entered therein, as performed by the Mayor and Aldermen; yet, most of them appear to have been ratified in some subsequent *Assembly*, by the Commons and Citizens: For their Elections stand recorded on the *Rolls* in due Form; and some appear to have been chosen by the *Assembly* alone, and have their Election recorded only on the *Rolls*, not at all in the *Monday-Book*. For Proof of the former Part of the Position, compare the Entries in the *Monday-Books*, from the Year 1667, to the Year 1711, both inclusive, with the Entries on the *Rolls*, as they are transcribed in the PROCEEDINGS of the Sheriffs and Commons, which were published by *Esdall* in the Year 1744, Page 180, and Page 29, 30, and 31. The Truth of the later will appear from the Elections of *Humphry Jervas*, entered on the *Roll* of Easter Assembly 1675, in these Words; "It is also ordered and agreed by the Authority aforesaid, pursuant to a Recommendation from his Excellency the Lord Lieutenant of this Kingdom, that Humphry Jervas be, and is HEREBY chosen and elected an Alderman in this City, in the Place and Stead of Alderman

John

John Cranwell, deceased. And that of Charles Thompson, chosen by the Aldermen, as appears by their *Monday-Book*, of the 17th of July 1685, but not approved by the Commons for seven Years after, when his Election, or rather *Admission* to that Station is entered, not in the *Monday-Books*, but on the *Rolls*, in these remarkable Terms;

Mr. Charles Thompson IS HEREBY ADMITTED to an Alderman of this City. *Michaelmas Assembly*, 1692.

WHEN we come to consider the Changes wrought in the Constitution of this City, by the *New-Rules*, it will not be surprising to find, the *Aldermen*, in whom much of the most valuable Powers and Privileges of the *Commons* and *Citizens* were, thereby, vested, should be able sometimes unobserved, or unopposed, to steal, or wrest any thing from the *Commons*, who became, by the Management of these *Rules*, their *Creatures* and *Dependents*. However, the Elections of *Aldermen* continue to be entered on the *Rolls*, with other *Acts* of *Assembly*, from the Year 1665 inclusive, which was the first after the Restoration, and in which six *Aldermen* were chosen, to the Years 1683, 1691, 1699, 1700, 1707, 1708, 1710 and 1711. But, the Craft and Subtilty of these *sage* and *pious Guardians* of the City will appear in this, that long after the Election of *Aldermen* was taken from the *Commons*, according to Mr. Thomas Gonne's Affidavit in the Appendix to the COMPLAINTS OF DUBLIN, as I presented them to the present Lord Lieutenant, on the 25th of December 1747. They continued to enter them on the *Assembly Rolls*, till the Year 1711, to give them the Sanction, and Color of Law, untill they could get themselves some other covering, which they soon after unjustly took from an Act of Parliament of the Second of the late King, as shall be shewn hereafter. And in the Year 1714, they were forced, in a very critical and remarkable Case, to acknowledge the Authority of the Assembly, even in expelling an *Alderman*: Then it was, that the late Sir Samuel Cooke, Knight,

Knight and *Alderman*, having been found to *conspire* with the *corrupt Ministry* of the late *Queen Anne*, to overturn the Constitution of this City, in the Election of it's Magistrates; after a formal Trial, as well before the *Lord Mayor* and *Aldermen*, as *Sherifs* and *Commons*, was, upon a *Petition* of certain of the *Commons*, not only for ever *disfranchised*, but *expelled* the Office of an *Alderman* of this City.

THAT the Election of *Aldermen*, as well, as of all the Magistrates, Officers and Servants of the City beside, was once, absolutely vested in the *Citizens* at large, every Man, who has taken any Pains to be informed of the Truth of our Case, must confess: That all the *Records* of the City, since the Time, in which the *Aldermen* confess *their Election* was in the *Assembly*, are fairly and regularly kept, they must allow: That this Election could not be wrested out of the *Assembly*, but by the Authority of a *Statute*, or a *By-Law*, is unquestionably certain; and that no such *Statute* or *By-Law*, or any true Evidence of any such, exists, is as certain. By what Authority then, the *Aldermen* assume this Election, let any sensible, dispassionate Man judge. And whether their assuming it, without any known Authority of Law, be not *Usurpation*, and whether the exercising the Office of an *Alderman* regardless of the Ends and Principles of the Institution, and without any regard to *Reason*, *Justice* or *Law*, or the *Weal* of the City, be not *absolute Tyranny* and *gross Perfidy*, a *breach* of the solemn *Oaths* of a *Citizen*, and of an *Alderman*, I submit to the Consideration of the Just and Judicious.

I HAVE, thus, given you a sketch of the *Invasion* of our *Franchises*, begun under the *Tyrants*, *Richard* the Third and *Oliver Cromwell*, and rudely traced out our Constitution, down to the later End of the Reign of *Q. Anne*. I must now take you back again to the Reign of *K. Charles* the Second, who in Return for the most steady, the most constant, invincible Fidelity and Loyalty of the Citizens, gave them, what some great Men give their *Prostitutes*, a *Pension* and a *broken Con-*
stitution

stitution for Life; when they could not be supposed to be able to subsist long a Burden to him.

WHEN these Kingdoms had been harrassed under an uncertain Government, partly *Civil*, partly *military*, for about twelve Years; the People began to grow tired of their *new Rulers*, and of the *Name*, without the *Essence*, of a *Common wealth*. This brought about the Restoration, so clear of even the Appearance of *military* Force, that it may not improperly be looked upon, as the ELECTION of *Charles* the Second to the *Thrones* of these REALMS. But, as it is most difficult to avoid Extremes in these like Matters, the late oppressed Party, that brought about the Restoration, ran to the contrary Extreme; condemned all Men, that gave Opposition to any of the most *Tyrannical* Measures of the late King, and invited and pressed this *elected* or *recalled* King, to pursue the late condemned Steps of his Father, or in short, any Course, that seemed to him most eligible.

FOR this, his Majesty seemed to have wanted no great Entreaty. By his whole Conduct, we may judge, he had imbibed stronger Principles of *arbitrary* Power abroad, during his *Exile*, than he could have learned at home, from his Father, or his Ministry. He contracted an incurable Aversion to the *natural Allies* of *England*, and entered into strict *Alliance* with, and became a *Pensioner* to, her *natural* and *avowed Enemies*; by which, he concerted Schemes for overturning or destroying the civil and religious *Liberties* of these Kingdoms, as well, as of the *united Provinces* of *Holland*.

He pretended great Love to the Cities of *London* and *Dublin*; but stroke more at the *Liberties* of both, than any of his Predecessors. He attempted breaking the Charters of *London*, and was not free of an Imputation of having promoted and fomented the fatal Conflagration. But, this was great *Mildness* in Comparison to his Treatment of *Dublin*.

At his Restoration, he wrote Letters addressed to the *Mayor*, *Sheriffs*, *Commons* and *Citizens* and to every

ry of them, not a word of the *Aldermen*; with the warmest Tenders of his Love, and the most grateful Acknowledgements, for their invariable Fidelity and Loyalty. As a further mark of Benevolence and Gratitude to the Citizens, he granted *Alderman DUE*, the *Mayor* in the 14th Year of his Reign, and all the succeeding *Mayors*, the Commission, Rank and Pay of a *Captain*. In three Years after, he crowned his Love and Gratitude, by granting the Corporation, *five hundred Pounds* a Year, for ever.

THIS and some such like Actions gained him unlimited Credit and Esteem in this Kingdom; so, that he might have done any thing, he listed with the Parlement and People. In the first Act of Parlement, they acknowledged his rare *Accomplishments* of Piety, Wisdom, and fatherly Care of the Good and Welfare of all his Subjects; and then, made a solemn Recognition of his Titule to the Crown of *Ireland*, as well of *England*, *Scotland*, and *France*: Afterwards, they made the Day of his Restoration a *Festival*: They granted the *Excise*, or *new Impost* to him and to his Heirs and Successors for ever; They settled the Subsidy of *Tunnage* and *Powndage*, or the *Customs*, on him and his Heirs and Successors for ever. In short, they gave him every thing he asked, even the heaviest *Tax*, that ever was known in this Kingdom, the *Hearib-money*, was vested in him and his Heirs and Successors for ever. Besides a great number of excessive burdensome Subsidies. In Return of which extraordinary Complacency and Readiness to observe his Majesty's Pleasure, he opened a Passage to all *Foreigners* to invade our Rights, and robbed us of the most valuable Part of our ancient Privileges, in the free Election of our principal Magistrates, and Officers, the *Lord Mayor*, *Sherifs*, *Treasurer*, *Recorder*, *Town-Clerk*, and even of our *Common-Council*.

THIS was done by the *New-Rules* of which I now come to give you some Account. And, I do not fear being able to make them appear to you, the most unjust and iniquitous Proceeding, that ever had the Sanction of Law in any free Country.

I BELIEVE

I BELIEVE there is no Principle of our Policy better established, than this; *That the Parlement cannot delegate any part of their Legislative Power*; yet, the Parlement in the 17th and 18th Years of the Reign of Charles II. did *delegate their legislative Power*, in a most remarkable and important Instance, to the King's Privy Council of this Kingdom: For, by a Clause in an Act of the above Parlement, Chapter II, it is enacted, *that it shall and may be lawful to and for the Lord Lieutenant, or the Chief Governor or Governors and Council of Ireland, for the time being, from time to time, and at all Times to come, during the Space of Seven Years, to be accounted from the 29th Day of September 1665, to make and establish such Rules, Orders and Directions, for the better regulating all Cities, walled Towns and Corporations, both new and old, and such as shall be created within this Kingdom, and the electing Magistrates and Officers there, and to inflict such Penalties for the Breach thereof, as they in their Wisdoms shall think fit, so as the Penalties for the Breach of the Rules, Orders and Directions to be made, touching such Corporations, do not extend farther, than to the Removal and Disfranchisement of such Persons, as shall be found guilty of a Breach thereof: And such Rules, Orders, and Directions, so to be made as aforesaid, shall be as good and effectual in Law, to all Intents and Purposes, as if the same had been specially and particularly established by Authority of this present Parlement, and shall remain, continue and abide in Force, for such and so long time, as in the said Rules, Orders and Directions, shall be limited and appointed, any thing in the said Act or otherwise to the contrary thereof in any wise notwithstanding.*

UPON the strength of this Clause, the Privy Council proceeded, without the least Regard to the Consent of the Subject, which alone can give Sanction or Authority to Law; to dissolve Charters, to recind antient Franchises, to abolish established Customs and Usages, nay to repeal Acts of Parlement! And to frame and establish New Laws!

BEFORE this Anticonstitutional Law passed, the Elections of all the Magistrates, Officers and Servants of

the City; the *Disposal* of the *Estates*, *Revenues* and *Franchises*, and the sole *Government* of the Corporation were all vested in the *Lord Mayor*, *Sherifs*, *Commons* and *Citizens*, or in Persons deriving under them, by Virtue of the *Powers*, *Privileges* and *Authorities* granted by *Charters*, agreeable to the *common Law*, or under some *Statute*. The *Common Council* consisted of the *Lord Mayor*, attended by his Council of *Aldermen*, the *Sherifs*, the *Sherifs Peers* and the *Commons*, a certain select number of *Citizens*, or *Freemen* of every Corporation, chosen and returned by the Body at large, to represent them in the *Assembly*. In the *Commons*, was vested the sole Power of framing, proposing and introducing all the Public Business, by way of *Petitions* of certain of the *Commons*. The whole constituted a *free and independent Council*, who sat together in one Room ; till the *Aldermen* thought fit to break the Harmony, by setting themselves up above their Brethren, and Constituents, erecting themselves into a separate, and superior Tribunal, and assuming Powers injurious to the whole, in troubled and confused times, as before hinted.

INSTEAD of reforming these Lapses and Abuses, and repairing and restoring the Constitution of the City, where it was thus broken by the *Aldermen*, during the late Rebellion ; this *Parlement* invaded and trampled under foot the national Constitution, by vesting a *Legislative Power* in the *Privy Council*; who, by these *New-Rules*, have effectually overturned the Constitution of this City, as well, as of most other Cities and Boroughs in the Kingdom. This shock to the national Constitution is not to be over-looked. It is yours, to lay it before the *Parlement*. For, if the *Parlement* can vest a *legislative Power* in any Body, what avails our *Elections*?

It would be too tedious to recite the almost numberless Artifices and Pranks, played by the *Privy Council*, in the Establishment of these *Rules*, under this extraordinary Law.

AT the Restoration, the *Aldermen*, who had well feathered themselves with the Plumes of the City, during the *Usurpation*; readily turned to the Court, as they had

had usually done to the prevailing Power. Their appearing in Affluence of Fortune and Power, though Stolen from the *Commons* and *Citizens*, was enough to recommend them to the Favor of a *mercenary* and *corrupt* Administration. And, as they were then found fully qualified to serve the worst Purposes of the most wicked *Ministry*, and might, at all times, from their Number, be more easily managed and ruled, than the *Commons* and *Citizens*, who may justly be looked on, as the Strength and best Security of the Liberties of the City, I might have said, of the whole Kingdom ; it was judged proper, not only, to confirm all the Powers the *Aldermen* had, in any Manner assumed, but to give them many others, in order to aggrandise them, to the Destruction and Ruin of the Corporation at large ; reserving, at the same time, to the *Ministry*, such a Control over them, as must, for the most Part, keep the whole *Board*, *abject Dependents* on the Government, for ever.

THE first *Rules* made under this *illicity*-granted, and *illegally* executed, *legislative* Power, was made under the Lord *Berkeley*, who was, I presume, a Son of the infamous *Judge* of that Name, in *Charles* I's violent Reign ; by them, the whole Body of the City, the *Commons* and *Citizens*, were reduced to the most abject *Subjection*, downright *Slavery*, under the *Aldermen*, who were themselves also rendered *dependent* on the Government. By these, it was, among others, ordered, " that the *Commons* should not presume to receive, read, or deliberate upon any Petition, till it was sent to them with an *Order* from the *Lord Mayor* and *Aldermen*." These all stand received, approved and recorded, by the *Aldermen*, in their *Monday-Book*. And, least they should not have sufficient Weight without it, the *Aldermen* declare their Approbation of them, and how effectually all *Citizens* are bound to observe them. But, this, it seems, did not quiet the Minds of the People. This Onset on their Liberties was too open, too sudden and too Violent, to pass unobserved by the *Citizens*. And therefore, it is to be presumed, they gave them proper Opposition : For, though these ar-

bitrary Rules stand recorded in the *Monday-Book*, of the 3d and 13th of *January 1671*, with this Declaration from the *Board*, "that it was not proper or Safe for any *Citizen* to oppose these *Ordinances*, or to apply for any *remission*, *Suspension*, or *Alteration* of them, or of any Part thereof;" yet, we find them repealed by an Order of the same *Council*, of the 2d of *March* following.

BUT, *Essex*, the succeeding *Lord Lieutenant*, took a more effectual way of silencing all Murmurs, or at least, of making them too late, and of none Effect: For, though he left out, the Clause restraining the *Commons*, in proceeding upon *Petitions*, and altered the general Tenor of the whole *Rules*, somewhat for the better; yet, he made *Rules* so averse to Justice, Law and Reason, to our *Charters*, *Statutes*, and *Usages*, even to the Principles of our Constitution, that it is astonishing, how they came to be received, or observed, and never since to be repealed, or even complained of! And to prevent all Opposition, he took Care to have them published, but just *four Days*, before the Expiration of the Power vested in the Government by the above mentioned Act.

LET US now take a View of these *legal Fetters*, called, the NEW-RULES, and of the melancholy, of the fatal Effects, by them produced.

FIRST then, the Corporation is, without the Consent of it's Members, Stripped of it's Antient established Right and Privilege of *electing* and *appointing*, without Control, or Restraint, the fit Persons to serve the Offices of *Lord Mayor*, *Sherifs*, *Recorder* and *Town-Clerk*: For, no Person may Serve in any of those Offices, however elected and approved by the City, till he is approved by the Government.

SECONDLY; the Election of *Lord Mayor*, *Sherifs* and *Treasurer* is vested in the *Lord Mayor* and *Aldermen* only, subject as above to the Negative of the Ministry.

THIRDLY; no Person elected *Lord Mayor*, *Recorder*, *Sherif*, *Treasurer*, *Alderman*, *Town-Clerk* or *Common-Council Man*, or *Master*, or *Warden* of any Corporation, within this City, shall be capable of holding or exercising

cising any of the said Offices, till, with the Oaths of *Supremacy and Allegiance*, they take the following Oath, calculated to secure *Passive Obedience and Non-resistance* :

I, A. B. do Declare and Believe, that it is not Lawful on any Pretence whatsoever, to take Arms against the KING ; And that I do abhor that traitorous Position of taking Arms by his Authority against his Person, or against those that are commissioned by him.

So help me GOD.

The Election of all Persons, who do not take these Oaths, is made Null and Void, unless the Government think fit to *dispense* with taking them ; to do which, they are by these Rules empowered.

FOURTHLY ; the *Common-Council* is made to consist of the *Lord Mayor* and twenty four *Aldermen*, who are to sit apart ; as they set themselves up in the great *Rebellion*. And of the *Sherifs* and *Commons*, with the *Sherifs Peers*, who are not judged fit to sit, agreeable to the original Institution, with the *Lord Mayor* and *Aldermen*.

FIVETHLY ; the several Corporations are not allowed, agreeable to the primitive Institution, to choose and appoint the identical Men, that are to serve or Represent them, in the *Common-Council* ; but, they are to make a *Return*, to the *Lord Mayor*, of double the Number of Men, that usually served them ; out of which, he in the presence of one of the *Sherifs* and eight of the *Aldermen*, made in all Respects dependent on the *Ministry* ; is empowered to cull the Number, that is to serve. And least, the *Commons* should not continue, as passive to the *Aldermen*, as the *Aldermen* were made to the *Ministry*, they are to be changed once in every three Years ; so, that none may continue in the Council, above that time ; or ever get in again, who proves refractory to the Dictates of the *Board*.

SIXTHLY ; if any Corporation, or it's Master, and Wardens, fail to make such a Return ; or, if any of the Persons returned neglect, or refuse to serve, then the *Lord Mayor* and *Aldermen* shall choose out of the Corporation

Corporation at Large, the usual Number of Persons to represent it in the *Common Council*.

SEVENTHLY ; all *Foreigners, Strangers, and Aliens*, as well *others*, as *Protestants*, who are *Merchants, Tradesmen, Artificers, or Mariners*, who at present reside in, or at any time hereafter shall come into, the City, with Intent to inhabit and dwell therein, shall, upon Demand and Payment, or Tender of *Twenty Shillings* to the *Lord Mayor and Common Council*, be admitted *Freemen* of the City, and of all or any *Guild, Society, or Corporation* within the same ; and every Person, so admitted, shall be deemed a *Denizen* in the Kingdom at Large ; any Law, Statute, Charter, Usage, or Custom, of this Kingdom, or City to the Contrary, notwithstanding. In case of refusing to admit such Persons free by the *Lord Mayor and Common Council*, or by any Corporation in the City, they may be sworn before any Justice of Peace of the County, which intitules them to all the Benefits of *Freemen* to all Intents and Purposes.

EIGHTHLY ; all Persons refusing to comply with these Rules in any Point, or obstructing any *Foreigners, &c.* admitted, as above, in their Trades or Professions, are made liable to be for ever *disfranchised* by the *Lord Lieutenant* or other *Chief Governors and Council*.

AND *Ninetbly* and Lastly ; these *Rules, Orders, and Directions* are ordered to be established and to continue in full Force for ever, within the Corporation of this City.

THUS, I have presented You with a full and exact Abstract of the *New-Rules*, the most violent Act of Power, under the assumed Sanction of Law, that was ever known, or heard of, in any free City or Nation. And thus have We been bound by Laws made *Secretly*, by the *Creatures* of the *Crown*, without the *Consent*, or *Knowledge* of the *People*, or their *Representatives* ; which alone can give due Force and Authority to Laws. Under this *Colon*, this *Shadow* of legal Authority, the *Privy Council* took upon them, not to make *New-Rules*,

Rules, consistent with the *Charters*, or the *Laws* in being, which might have been tollerable ; but, in direct Violation of the most sacred Principle of the *common Law* ; which requires the *Consent* of the *People* ; and in open Breach of our *Charters* and the *Statutes*, by which they are confirmed.

LET US now consider the Consequences and Effects, produced by these *New-Rules*.

ARBITRARY Power was the darling Object in the King's View, and, of Course, in that of his *Ministry*. Nothing less then, could be supposed to gratify their Ambition, than making *Dependence* and *Slavery*, as universal, as possible. As the Cities are the Strength of every Nation, it was necessary for this destructive Scheme, to ruin them first, and the Destruction of the other Subjects must of Course follow.

DUBLIN, the Capital, was first attacked, for the same Reason ; and the neighbouring Cities and Towns corporate soon after shared her Fate.

By the *first*, We are deprived of an INHERENT and ESSENTIAL PRIVILEGE, of the *Corporation*, that of *electing our own Officers*, without *Restraint*, or *Control*.

By the *second*, the Election to the three chief Offices in the City, is vested in the *Aldermen* alone, by which, all the *Citizens* are made *dependent* on the *Board* for Promotion.

By the *third*, a short *Oath* is *imposed* on all the *Magistrates* and Officers of the City, to secure the *Passive Obedience* and *Non-Resistance*, that was necessary for the Establishment of the Government intended by this King and his Successor. And a Power of *dispensing* with all *Oaths* is vested in the *chief Governor* and *Council* for the same Purposes.

By the *fourth*, the *Common Council* is, most absurdly and incoherently, divided into *two Bodies* ; the evil Consequences of which is too obvious to require further Explanation.

By the *fifth*, the *Commons*, instead of being the *immediate Representatives* of the several *Corporations*, are made the *dependent Creatures* of the *Lord Mayor*,

and by the *New-Rules*, made against the *New-RULES*, by the *Aldermen*, as hereafter set forth, they are made dependent on the whole *Board*; So, that nothing has been more notorious, than binding Men by *Tests*, *Promises*, and even *Oaths*, to be *pliant*, *passive* and *servile* to the *Board*, before any Man of the Return was to be admitted.

By the *sixth*, the *Aldermen* are made the sole Judges of the Justice and Validity of the Return of the Commons of every Corporation. If Men obnoxious to the *Board* happen to be returned; *they* get a Petition preferred against them, and if they can not lay aside the Return, in which Case, they choose for *themselves*, out of the Corporation, at large; *they* keep the Persons returned, out of the Commons, as long as *they* will. And, if any *Master*, or *Wardens* are not liked well enough to be returned by their Corporations, or to get such Persons returned, as they choose, such Officers may, and often do, lay the Return aside, for which, they seldom fail of receiving the Reward of their Iniquity from the *Board*, by getting *themselves*, or their *Friends* chosen.

By the *seventh*, all Persons of what Name, Nation, or Religion soever, are intitled upon Payment, or Tender of *twenty Shillings*, to be admitted to all the *Benefits* and *Privileges* of those, who derive their Freedom from the *Blood* and *Treasure* of their *Ancestors*, or *their own painful and expensive Services*. And though, by an Act of the late *KING*, this is altered, and the Privilege confined to *Protestant Strangers only*; yet, the *Aldermen*, when I was in the Commons, admitted Men agreeable to this Clause, in Spight to the Remonstrances of the Commons, to the contrary.

By the *eighth*, the Penalty of a Breach, or Non-Observance of the *New-RULES*, is *Disfranchisement*, at the *absolute Pleasure* of the *Ministry*.

AND, by the *nineth*, though all *Statutes* calculated for good Government, are, at first, made *temporary*, for a Trial; yet, these are made to stand of Force, *for Ever*; and that, though the *Good*, or *Consent* of the

the PEOPLE, or their Representatives, neither was consulted, nor obtained.

THE principal Powers and Privileges of the Community being thus vested in the *Aldermen*, and their Election of the chief Magistrate and other considerable Officers being subject to a *Negative* from the Government, has made all the City *dependent* on the *Aldermen*, and the *Aldermen dependent*, for their Approbation in their Turns, on the *Ministry*. And thus, the *Slavery* and *Dependence* of the whole City has in Effect been completed : The *Citizens* reposed great Confidence in the *Commons*, the *Commons* became the *Creatures* of the *Aldermen*, the *Aldermen*, *Dependents* on the *Ministry*, the *Ministry*, *Enemies* to the Nation and it's Constitution ! What then, was to be expected ? Misery and Ruin !—In that, indeed, we were not disappointed.

THE *Ministry*, during the Reign of King *Charles II*, often took upon them, not only to *reject* the Election, but to *direct* who should be *elected* into any of the Offices in the City, or admitted *Freemen*, and to *dispense* with *Elections* and *Oaths*, at Pleasure. His *worthy* Brother and Successor, the late King *James the Second*, did the same ; and gave Orders, by his *worthy* Lieutenant, the Lord *Clarendon*, to admit *Papists* into the Freedom of the City, without taking any other Oath, than that of *Fidelity* and *Freemen* ; the Government having, by the *New-Rules* a Power to *dispense* with the taking the other *Oaths*. In the four last Years of Queen *Anne's* Reign, none were admitted by the Government into any Office in the City, but such, as had given sufficient Proof of their *Passive-Obedience* and *Non-Resistance* to the *Ministry*. And, when they could not get such *Tools* chosen, the Majority of the then *Aldermen* happening to be *old Whigs* ; they made their *trusty* *Dependent*, Alderman Sir *Samuel Cooke*, Knight, then *Lord Mayor*, hold his Office a second Year, without any Election, or Pretence of a legal Appointment ; as set forth in my third Address.

THUS

Thus the Government, whether composed of *Constitutionists*, or the Reverse, have, for the most Part, been able to manage the *Aldermen*, or the *Magistrates* of the City, under these *New-Rules*. The *Aldermen*, to recompense their being *enslaved*, by their *Superiors*, determined, in their Turn, to *enslave* their *Inferiors*. They incessantly tried all Means to set the *Commons* and *Citizens* at nought. They could not content themselves with the ample Powers vested in them by the *New-Rules*; but, they must wrest the Election of all the other Officers and Servants of the City, out of the Hands of the Assembly; which, being composed of their *Creatures*, or of Persons admitted by their *Permission*, and often upon a *Test*, or Security for their *Submission* and *Servility*, made the *Conquest* very easy, and sometimes, imperceptible to the rest of the Citizens. No Wonder then, we find the Election of *Aldermen*, *Recorders*, *Coroners*, *Receiver-General*, &c. entered in the *Monday-Books*, as made absolutely and solely by the *Board* of *Aldermen*. Though whenever We have had *Sherifs* and *Commons* of any Virtue and Resolution, or *Candidates*, who have had a popular Interest, the Election of all these Officers have been contested with the *Board*, and by the Contest, sometimes, restored to the *Assembly*, as before observed; except the Election of *Aldermen*; which, since the Reign of the late King, has been entirely wrested out of their Hands.

It may be thought strange, that the Liberties of this City, or Nation, should lose any Thing by the Accession of the GREAT and ILLUSTRIOUS FAMILY of *Hanover* to the Thrones of these Kingdoms. But, it is most certain, that even that public Blessing afforded a Pretext to *Tyrants* to rob us; and to lessen your Surprise, I shall now come to an Explanation.

WHEN Men are long harrassed with painful Watchings and Labors, they generally become very weak and defenceless, upon the *Death*, or vanquishing of their *Enemy*; and leave themselves quite naked and open to the *Successor*, that comes in by the Interest,
for

for which they contended. Of this, our Histories afford many Instances ; one only of which, I shall apply to my present Purpose.

DURING the late Queen's Reign, there was a considerable Majority of staunch *Whigs* at the Board of *Aldermen*, who opposed the sinister Measures of her and her *Ministry*. The CASE of the CITY of DUBLIN, laid before the Queen in the Year 1713, with a Petition of the *Aldermen*, was signed by no less, than *twenty*; to wit; ROGERSON, QUIN, WALTON, PAGE, BURTON, J. PEARSON, ECCLES, GORE, BARLOW, STOYTE, PLEASANT, BOLTON, BARKEY, WILKINSON, M. PEARSON, QUAYLE, FORBES, CURTIS, CHEATHAM, DICKSON ; who were very constant and steady in their Opposition to the most crafty Measures of the Ministry ; which Measures were attempted to be promoted only, by Alderman Sir Samuel Cooke, Knight, and Lord Mayor, by Law, from *Michaelmas* 1712, to *Michaelmas* 1713, and from that, by lawless Force, till about *October* 1714, with *Fownes, Mason, French* and *Constantine*.

AT this Time, it is not to be forgot, that good old Alderman BURTON went several Times to *London*, at his own Expence, and at the Hazard of his Life, to solicit the Freedom and Rights of his City and his Country.

AND here, the Part our temporising Judges acted, is not to be passed over in Silence. It is well worth every Citizen's while to read A REPORT from the Committee appointed by Order of the HOUSE of COMMONS to inspect the several Reports of the late JUDGES and other Proceedings in Relation to the Election of Magistrates for the City of DUBLIN, both before and after the late Parlelament in this Kingdom, reported, on the 6th of *June* 1716, and printed by Samuel Fairbrother the same Year. In that, the iniquitous Proceedings of the Queen's Ministry, and their Tools among the *Aldermen*, as well, as those of the then Judges, appear in their native Deformity. It was, among other Matters, resolved by that Committee, and agreed in the House, that it appeared, that the three late

late *chief Judges* of the *King's Bench*, *Common Pleas*, and *Exchequer*, with the *puisne Judges*, to the Number of eight in all, therein mentioned, did give *false Informations* of *Matters of Fact* and of *Law*, to the late *Queen*, relating to this *City*, without summoning or hearing the *Aldermen*. The *Judgement* of the *Committee* upon the *chief Justice* was this ;

RESOLVED, *that it is the Opinion of this Committee, that Sir Richard Cox, Knight, late Lord Chief Justice of Ireland, being a Member of the late Privy-Council, and present when the Rolls and Evidences of the City were produced at the Council Board, and having the Perusal of those Rolls, wherein the Falsity of the Instances mentioned in the first Report of the late Judges did appear ; that the said Sir Richard Cox, acted partially and corruptly in making the said Report, and thereby intended to impose upon her late Majesty, and is guilty of high Crimes and Misdemeanors.*

THE like Resolution is made concerning the other *Chiefs*. And one of the *puisne Judges* of the *King's Bench* is censured for the like *Partiality* and *Corruption*, and for soliciting a Cause, which lay before him as a *Judge*.

BUT, fortunately for us, his late Majesty's seasonable and happy Accession to the Throne, and his Wisdom in removing the late Queen's *Lords Justices*, dissolving her *Privy Council*, and displacing these her *Judges*, secured Us from the entire Destruction of our Constitution.

UPON the Death of the Queen, the *Whigs* became gloriously victorious, and the *Tories* were most ingloriously confounded ; particularly *Cooke*, the *chief Agent*, who never dared to shew his polluted Face here, during the Session of *Parlement*, as long, as he lived.

THEN

THEN, all the *Whigs* came into Play, particularly the *twenty Aldermen*, who, elate with their Victory, with receiving the Thanks of the HOUSE OF COMMONS; with being recommended by the LORDS JUSTICES to the late King, for a Mark of his Favor, in Consideration of their steady Fidelity and Loyalty; and being caressed and revered by all the other *Whigs* in the City and Kingdom, they were not able to hold the Balance; but, grew top-heavy, and, soon after, ran in with much of the same Measures in one Ministry, with those, they had opposed in the other.

As for the Government of the City, the *Commons* and *Citizens* judged these *twenty Aldermen*, such *Patriots*, and so revered them, that they deemed it no better than *Undutifulness* to *tender Parents*, to oppose them; so, every thing proposed by these *Aldermen*, was readily, implicitly received by the admiring, grateful *Commons* and *Citizens*, with more, than due Submission and Content.

THE *Aldermen* then, again assumed the Election of *Aldermen*, after the *Commons* had joined with them in the *Expulsion* and *Disfranchisement* of *Cooke*. And they met with no Opposition. And, not long after, edged themselves in under the Cover of an Act of Parliament, which neither included, nor regarded them.

THIS Act passed in the second of the late King. It provides, "That upon the Death, Resignation, or Removal of any Alderman, or Burgeſs, of any Corporation, where the Election is in the Aldermen, or Burgeſſes; the chief Magistrate and Aldermen, or Burgeſſes, ſhall duly procede to fill the Vacancy by Election, within 21 Days after the Vacancy ſhall happen, &c." This Act is further confirmed and amended by an other of the first of his present Majesty.

WITH these Acts, our *Aldermen* have ever since religiously complied. And now, I presume, they judge their assumed Power, established, by forcing themselves under the Shelter of an Act of Parliament, that neither includes, nor glances at, them. And, since the first Act, they have never thought it fit to consult the

the *Commons* in any Election of an *Alderman*, nor to give Sanction to *their* Election of *Aldermen*, by so much as entering it on the *Rolls*, or proclaiming it to the *Commons*, which they heretofore confessed to be necessary, as in the Case of *Rainsford* in 1691, chosen an *Alderman*, and entered in the *Monday-Books*, as *re-elected*, in Effect, for “not having entered his former Election, or published it to the *Commons*.” Does not this look like the Commencement of a *Theft*? Or a Preparatory to what has since happened? See *Divelina Libera*, p. 27.

I HOPE, from what I have offered, it now appears to You, MY BRETHREN and FRIENDS, that the *Jurees*, or *Aldermen* have always lain in wait for the Destruction of the City, that is, for wresting the Treasure, Power, and Franchises of the Corporation, out of the Hands of their *Creators*, the *Commons* and *Citizens*. That, since the Reign of *Richard III.* the *Aldermen* have been incroaching on their *Constituents*, taking the Advantage of every Shock or Convulsion given the State, and that *twenty-five* Men have, at different Times, *usurped*, and finally, have actually possessed themselves of all the Property of many *Thousands* of *Freemen*!

AT the same Time, that this Observation must move your Concern for the present unhappy Circumstances of Your selves, your Brethren and Posterity; yet, I expect to hear some of you ask, *What is all this to the present Board?* They have not begun these *Abuses*: They have been commenced, and the *Impositions* established before they were admitted to the Board. Why then should the present *Aldermen* suffer, for the Guilt of their Predecessors?

To this I answer; the present *Aldermen* or pretended *Aldermen* should suffer, not only for their own Transgressions, but for those also, of their Predecessors, to which they assent or accede; or, at which they connive; For the same Reason, that the DIVINE LAW punishes the Children of *Disobedience*, for the Sins of their Ancestors, for three or four Generations. Or, that our Law punishes a Man, as a *Felon*,
or

or a *Traitor*, who enters the Lists of any Band of *Thieves*, or *Rebels*, though he had no Opportunity of having an immediate Hand in any *Felony*, or *Treason*.

OUR *Aldermen* are left none Excuse for their Transgressions : They know, or may and ought to know their Duty and the Things, that concern them, and whether they be right or wrong. Ignorance can then be no Extenuation of the Guilt of Men, who may, and ought to, know the Law. The *Aldermen* must be sensible, that all the Records of the City have been fairly and regularly kept, since the time, in which, we alledge and prove, the Election of *Aldermen* to have been in the *Common-Council* ; And yet, there appear no Traces, no shadow of any *Law*, or *By-Law*, whereby any further Power or Authority is vested in them, than what I have already set forth. Can they then, without the Imputation of *Guilt*, clame and exercise Powers without any Warrant from Justice, Law, or Common Sense ?

BUT, in order to demonstrate this more clearly, and to shew, that the *Aldermen* are actually accessary to all the present Distresses of the City, let us take a short View of the Conduct of the present worshipful Board : For, it would require Volumes to set it forth minutely.

LET me begin then, with the *Aldermen's* observing and exercising the abrogated and annulled *Rules* of *Berkeley*, and their altering or dispensing with *those* of *Essex*, though in full Force, just as they are found to serve, or thwart the Purposes of the *Board*.

THAT the framing, receiving, reading, deliberating upon, and in a great Measure determining the Fate of all Petitions, was Originally vested in the *Commons*, no Man, that knows any thing of our Constitution, can deny : That this Power was allowed to be in the *Commons*, in *Berkeley's* time, which was after the *Aldermen* had perfidiously separated from the *Commons*, and made that Wretched Division and Sollecism in the Council and Government of the City, of sitting apart from the *Commons* ; is pretty evident from

from *Berkeley's* Care in wresting it out of their Hands: For, if the Power was not then in the *Commons*, there could be no Occasion to make a Law, to wrest it from them: Yet, no Law of God, or Man is more religiously observed by the *Aldermen*, than this *repealed* Article! No Petition is now allowed to take rise in the *Commons*, nor to be seen there, till it is sent down with an *Order* upon it, from the *Board*; Much such, as I conceive is sent upon the *French King's Arrets*, when he makes them, and sends them to his *Mock-Parliament*, who dare not refuse to register and enforce them. Thus, we see *Petitions*, made and framed at the *Board*, in the Name of *certain of the Commons*, sent, with their *gracious Order* indorsed, to the *Commons*; when not one in the House had any Hand in making them, or perhaps ever saw or heard of them before they are introduced by an *Alderman*. And yet, I challenge the *Board* to shew any, or better Authority for this *Usurpation*, than *Berkeley's* base, infamous and repealed *Rules*.

I CONFESS, I think it was a Crime, not less heinous, than *high Treason*, for the *Aldermen*, in *Charles* the second's Reign, to receive, execute, acquiesce under, or submit to the *New-Rules*: Because, they were made and imposed *without the legal Consent* of the *PEOPLE*, or their *free Representatives*; and because, they have overturned the civil Constitution, to which *no People* could *consent*. This is the worst that could have happened from refusing to observe them, the utmost *Penalty* is but *Disfranchisement*. The Government might then *Disfranchise*, but they could not *Infranchise*, or create *Aldermen*, or *Citizens*, *without their Consent*. And by a Dissolution we could not be made worse, than these *Rules* have left Us.

BUT, since the *New-Rules* have been received and by all Hands tamely submitted to, so far, that Time has now stamped upon them, the Sanction and Authority of Law; it behoves every Man to observe them equally and strictly in all Points, however unjust, injurious, and oppressive they may be found; till they are by due Course of Law, in full Parliament, altered, amended, or repealed.

Now,

Now, by these *New-Rules*, the striking the *Commons* out of the List of *double* the Number to serve each Corporation; made to the *Lord Mayor*, is vested absolutely in *him*; and the *Rules* only require, that he should declare the Numbers, that are to serve, in the presence of *one* of the *Sherifs* and *eight Aldermen*.

BUT, the *Aldermen* not willing to submit to any thing, that might lessen their general Influence, and judging the *Commons* might be more effectually *enslaved* and *corrupted* by the joint Influence and Authority of *twenty-four Masters*, than of *one*; laid themselves out for various Means of breaking this Power, in order to obtain some share in it, with the *Lord Mayor*. Some *Lord Mayors* could not get *eight Aldermen* together for the Purpose; unless each was allowed to have a hand in the *Plot*. Others have been denied, or cramped in the *Bounty* usually allowed this Officer. But, the most effectual Method of restraining and dividing this Power, is by a *Rule*, or *Test* made by the *Board* against this Article of the *New-Rules*, and entered in their *Monday Book* of the 19th of *December* 1732. of the 21st of *April* 1732. and of the 26th of *September* 1738. Whereby they declare, "that no Petition, shall be passed for any Augmentation to any *Lord Mayor*, who shall take upon him to observe and fulfil the Article for striking the *Commons*, in the *NEW-RULES*; nor shall he be chosen *Treasurer*;" and every Person chosen an *Alderman* is obliged to observe this *Test*; and to bind himself to it, swears, by the sacred Oath of *Nobles*, upon his Honor, to fulfil and observe it, and so subscribes his Name.

THIS Declaration, or *Test*, every Man at the *Board*, when I last saw the *Monday-Books*, had actually signed; and I am persuaded, all that have been made since, have done the same. Upon Enquiry, I find, both our *Candidate Aldermen*, who would have us believe them, not only innocent of, but quite unknowing in, the *Frauds* and *Corruptions* of their *Board*, have subscribed this lawless *Rule*.

If then, *Berkeley's* repealed *Rules* be of no Force,

or Effect in Law, is it not *criminal to enforce* and *execute* them, as *Law*?—And if *Essex's Rules* have the Force, or Efficacy of *Law*, is it not the highest *Iniquity* to *conspire* against them, and render them, in any Instance, of none Effect, till they are repealed by *Law*? And are not *all our Aldermen* liable to be *disfranchised*, for this palpable Breach of the *New-Rules*?

By thus wresting their Power out of the Hands of the *Commons*, or by sinister Tamperings with the Persons returned, before they are admitted into the *Commons*, the *Aldermen* have rendered them, for the most part, useless, to their *Constituents*. I have already said so much on this Subject, in a Pamphlet, called, *Drivelina Libera*, before quoted, which I published in the Year 1744, that to avoid the Trouble of Repetitions, I shall, for a further Disquisition on this Subject, refer You to that Tract.

THE Method, by which the *Aldermen* have most effectually undone the City, is by an Absurdity run into, that of appointing *Committees* and *Sub-Committees*, whereas the whole ASSEMBLY is, in it's self, but a *Committee* of the *Body Politic* at large.

REGARDLESS of this Principle, the *Aldermen* have always found it the most convenient Method of getting their Ends answered, to get all Questions, which they would have securely carried, referred to a *Committee*, usually consisting of the *Lord Mayor*, *Sherifs*, *Treasurer*, a certain number of *Aldermen*, with sometimes double the number of *Commons*, exclusive of the *Masters of the Works*, who are generally the late *Sherifs*. If they find they have been mistaken in the choice of *Commons*, as they sometimes have been, in spite of all their Care and Caution; they get a *Sub-Committee* appointed by the *Committee*, in which the *Aldermen* and *Commons* have often been equal, in number, though very unequal in Influence and Authority.

If this *Committee* be to *audit* the City *Accompts*, to view the *Water-Course*, or the like, they are gorgeously treated at a sumptuous Banquet, by the *Receiver-general*. If to examine the Affairs of the *Ballast-Office*,

fice, they are pompously entertained on the Water, by the *Aldermen*, who presides in that Office. If to *grant* or *renew* an Advantageous *Lease*, the *Tenant* provides the *Necessaries* for a favorable *Report*, of which *Claret* has been found to be the chief *Ingredient*: For, to keep them insensible of the *Miseries* induced and inducing on the *Citizens*, by a *Series* of *Misconduct*, the surest way has been found, to divert them with the *Bottle*.

I THINK, I can challenge any Man to give me an Instance, where any thing, thus *judiciously* managed in a *Committee*, appointed, as usual, by the *Aldermen*; or *their Sheriffs*; or in a *well-culled Sub-Committee*, has failed of a *favorable Report*, and the desired *Success* in the *Assembly*.

I SHALL content my self, at present, with reciting two remarkable Instances of the Powers assumed by such *Committees* and *Sub-Committees*, and the fatal Consequences, they have produced to the City.

FOR the first, I shall go back to the Foundation of the *Hospital* in *Oxman-Town*. And for the second, I shall recite an extraordinary Attempt made by a *Committee*, within mine own Knowledge.

BY the Edition, I have lately published, of, A NARRATIVE, and an ACCOMPT, concerning the HOSPITAL on *Oxman-Town-Green*, DUBLIN, I have laid before you, the best and most authentic History of that Foundation, as it was printed and dispersed among the first Benefactors, by Order of the *Lord Mayor*, *Sheriffs*, *Commons* and *Citizens* of this City, of *Midsummer-Assembly* 1671.

IN the REMONSTRANCE against certain *Infringements* of the *Rights* and *Liberties* of the *Commons* and *Citizens* of DUBLIN, which I had delivered into the Hands of the then *Lord Mayor*, *Aldermen*, *Sheriffs* and *Recorder*, and afterwards published of the 22d of *April* 1743, all the *By-Laws* relating to the Foundation and Constitution of that *Hospital*, are fairly and succinctly laid down. And they have since been published at Length,

in the PROCEEDINGS of the *Sheriffs and Commons*, Appendix, N°. VII.

By the *Abstract* of the *Charter*, recited in the *Narrative*, it is evident, that the *Lord Mayor, Sheriffs, Commons and Citizens* of the City, and their Successors for Ever, are appointed the GOVERNORS of the HOSPITAL and FREE-SCHOOL of KING CHARLES the SECOND, in DUBLIN, which can neither be increased, diminished, or altered, by any Authority less, than that of an *Act of Assembly* or an *Act of Parliament*.

By the *Remonstrance*, p. 28, 29, 30, 31, 32, 33, 34, it appears, that several Persons were, at different Times, appointed by *Acts of Assembly*, a *Committee, Trustees*, or *Sub-Governors*, for the Accomplishment, Direction and Management of that Foundation. But, that the *Committees, Trustees*, or *Sub-Governors* never assumed an *Independent Government*, till after the *New-Rules*, under whose Authority, the *Aldermen* got such an Influence and Ascendant over the *Commons*, as to get them readily to concur in their Measures. In 1673, the *Trustees*, or *Sub-Governors*, who were formerly appointed to consist of the *Lord Mayor, Sheriffs, Recorder, Treasurer*, nine of the *Commons*, one of the *Masters* of each of the *Corporations*, and one of the *Church-Wardens* of every *Parish*, were increased by the Addition of, *all the Aldermen*. In 1675, these *Sub-Governors* were limited to the *Lord Mayor, Sheriffs Aldermen, Sheriffs Peers*, calling such of the *aforsaid* *Sub-Governors to their Assistance*, as they shall think fit; or any seven or more of them, whereof the *Lord Mayor and one of the Sheriffs shall be always two*, were appointed to do all things needful for the carrying on the *Work aforsaid*, and completing thereof.

And now, though the *Aldermen* do, or should, know, they can pretend to no further Power from the *Assembly*, the true and lawful *Governors*; yet, have they usurped the whole Power and Authority, and the very Title, of the *Charter Governors*, admitting only their *Creatures and Minions* the *Sheriffs and Sheriffs*

Peers

Peers to share the Government with them, besides some certain Great Men, whose Names they use to screen and Strengthen them in their ill-gotten Possessions.

WHAT has been the Consequence of these Abuses?-- The Estate is partly set to these *usurping Governors*, or their *Minions*, or *Trustees*. Of these *unlawful Tenants*, Alderman *Nathaniel Kane* is, or lately has been, one, who refuses to pay any Rent. Even, a certain Portion of the *Tolls* of the City, settled upon the *Hospital*, are now, or have lately been set or sold, by an Agreement with the *usurping Governors*, to Alderman *Sir Samuel Cooke*, Bart. at his own Terms. Thus every one of these *spurious Governors*, that can, has a Pluck at this *poor House*. No wonder then, we find, that instead of the *three Hundred*, as well *Aged*, as *Young*, it was calculated to receive and maintain; it now holds, besides it's Officers, not above 160 *Boys* only; who never learn *Greek*, or *Latin* agreeable to the Institution. No wonder our reduced *Brethren* and the miserable *Orphans* of our Fellow-Citizens are left helpless and Comfortless, unheeded and unregarded by those *Governors*, who upon all Occasions prefer *Vagabonds*, *Aliens* and others, and their *spurious Issue*, to the legitimate Sons of the City!

I CAN not, it is true, charge any other *Committee*, or *Sub-committee*, with having run quite as great a Length, as this. But, I am sorry to say, it seems only so, for want of an equal Opportunity. Under this Cover the *Aldermen* have undoubtedly cantoned out and set the City Estate to their Friends, or to one another, and have neglected demanding the Rent and keeping the *Counterparts* of *Leases*, till almost all the Lands have been alienated; so, as to stand now only to grace our *Rent-roll*, under the *inriching* Denomination of *Lands unknown*. And, when the Lands have been discovered, it has not been found possible to get them sued for.

WHEN I was in the *Commons*, I went upon this among other Researches. I found the City had lately had

had a Law-Suit with one *Colonel Berry*, who, as I was informed, swore, in answer to a *Bill* in *Chancery*, "That he had no Lease, nor derived any Titule to the Lands in Question, from, or under the City; but that they were his own proper Estate." I found a Man, who had *two Minutes* from the said *Colonel*, for some of the Land in *Dispute*; the one, for all the Time, the said *Colonel* had *under the City*, all to one Year; the other for a certain Term of Years, provided he, the said *Colonel* had so many Years to run of *his Lease from the City*. I had a *Committee* called for the Purpose, in *Aldrich's* Mayoralty, and had the then *Recorder's* Opinion upon these Minutes, before the Committee. He assured us, that these Papers under *Colonel Berry's* Hand and Seal, must set aside his Answer, and make out our Titule to our Estate. Yet, as a Common-Council-Man, I thought it but just to relinquish the Advantages to which every Discoverer of *unknown*, or *alienated* City Lands, is intituled, I desired something to be granted to the Owner of the Papers, which was obtained, on his consenting to deposite them in the *Tholsel-Office*. But, I have never since heard, that any Step has been taken towards the Recovery of this Suit, notwithstanding their being possessed of such full clear and conclusive Evidence.

THE *Committee* that now has the greatest Power, and the Management of the largest Revenue, is that of the *Ballast-Office*. This Office was erected here by an Act of Parlemtent of the 6th of *Queen Anne*. And it was put under the Direction and Conduct of the *Lord Mayor, Sherifs, Commons* and *Citizens* of the City of *Dublin*. But, it's Revenue prompted the *Sage* and *faithful Guardians* of the City to lay their Paws upon it. They got Possession of it and held it, till the *Commons* contested the point with them, and brought the Dispute, by mutual Agreement to a Compromise, by referring the Matter in Contest to the *Lord Chancellor* and the *Lord chief Justice* in the Year 1707, who gave Judgment in Favor of the *Common Council*, by which it was restored. But, they take care

care to pack so many of their *Friends* and *Minions* into a *Committee* upon that Matter, that, like all other Affairs, it may be said to be at the Disposal of the *Board*.

THE next *Committee* in Power, that constantly subsists, is that for *supplying the City with Water*. On this *Committee* I happened to be named. And, in this *Committee*, I first felt the immense Weight of the overgrown and over-bearing Power and Influence of the *Board of Aldermen*.

THERE were at this time, as well, as now, two violent *Factions* in the *Board of Aldermen*. The prevailing one then, was the *ROSE-CLUB*; at the *Head* of which, stood one, who is now content to make one of the *Train* of the other, *Alderman Nathaniel Kane*, though he had the Cunning to choose for his *Mask*, a Member of the *Board*, of the greatest Worth and Integrity, who was, in no Respect, a Match for *Alderman Kane*; but, under whose universally beloved Name and Character, *Kane* managed all the Affairs of the *Faction*. This *Club* long ruled the whole City, so effectually, that *five* of them made a *Majority* of *twenty-four Aldermen*, nay of above an *hundred Commoners*. This may seem a Paradox; but, it is absolutely true: The *Majority* of the *Club* present, though the *Minority* of the whole, when all collected, bound all, when they were assembled at the *Board*. By which, being a *Majority* of the whole *Aldermen*, they ruled the whole *Board*, and the *Board* ruled the whole City.

THIS *Faction* bore boundless sway, till glutted with Excess of Power, and Wine, at a City Banquet, in the Mayoralty of the *Head* of the present prevailing *Faction*, they were forced to disgorge both. And now, Power, as fickle, as Fortune, has again, quite changed sides. How this *Faction* will rule, time only can discover. But, from the lately discovered Measures of the Leaders, it is strongly suspected to be deeply tainted with the *old* destructive *Leaven*.

BEFORE I got into the *Commons*, an Enquiry was instituted, how the City might be most effectually supplied

plied with Water. It appeared to every considerate Man, that nothing was easier, than to bring *Aqueducts* from some of the many Rivers, that lye higher than the Town, on every side of Us. On the 12th of *June* 1741, two of the *Committee for supplying the City with Water*, went with the *City Engineer* and *Surveyor* to view and examine a Water Course at *Straffon*. On the 30th, they reported, *that Water unfit*, but that the City may be supplied from the *Liffey* near the Common of *Lyons*. But, as nothing, tending to the *public Benefit* is, with some Men, to be attempted, without a strong View to *private Interest*; so, being convinced, that conveying a Water-course from some neighbouring Stream, to some Eminence near the Town, whence it might be easily conveyed in Pipes, to water all the Streets, was the cheapest and most effectual Method of supplying the City with Water; could not content the then *ruling Faction*, without reflecting some *private Benefit* on some of their chosen *Corps*.

THERE was a Gentleman, who was obliged, as I am informed, to purchase the Mills of *Island-Bridge*, to secure a Sum of Money due to him by one *Griffith*: For, there were some *Judgements* or *Mortgages*, that affected these Mills, prior to this Gentleman's Demands; which he was obliged to discharge, before he could have any Chance of getting in his Debt, so, it is to be presumed he did not get the most advantageous Bargain. *Griffith* offered them for 2000 l. but could not get it to redeem him out of Goal.

THIS Purchaser was allied to Mr. *Mathew Weld*, Son-in-law to Alderman *Kane*. Who made Overtures of the Sale of these Mills to the City, or who projected the City's purchasing them, I can not determine. But I find, that about the Year 1740, or 1741, Alderman *Kane* got his Son-in-law, Mr. *Weld*, the present Sheriff, to write to the Proprietor of the Mills, about a Treaty of Purchase. That soon after this, it was moved in the *Committee*, "*that the City might be supplied from the Liffey, within the Liberties, by an Engine.*" Which being agreed to, Mr. *Dunn*,

now

now an *Alderman*, and Nephew-in-law to *Alderman Kane*, was judged the *fittest Engineer*, to view the River, and to report in what manner that work may be effected. To this he was requested to comply, and the *City Engineer* and *Pipe-water Collector* were ordered to attend him.

THERE is none Entry of *Engineer Dunn's Report*. But on the 14th of *August 1741*, the Committee met and were brought to be of Opinion, that the Rivers in the Country could not answer, that *Island Bridge* was the fittest for the purpose, that some of the GENTLEMEN of the CITY have been enquiring in Relation to the Purchase of the Mills belonging to one *Mr. Jonathan Darby*, who for his Interest thereof, expected 3500 l. and that though the Common of *Lyons* was formerly judged the fittest place to take up a Water Course, yet *Mr. Scanlan* now advised, that *Island Bridge*, was the most convenient place to erect an Engine for throwing Water into the City. That they represented this their Opinion to the Assembly; that the Assembly empowered this Committee, to treat with the Proprietor for the said Mills, Ware, Water Course and all the Materials thereunto belonging and to contract with him for them, for any Sum not exceeding what he asked 3500 l.

How, or where this Treaty was begun, made or conducted, does not publicly appear. But it is probable, the Purchase was agreed upon, before this Order was made, for under this Act, *Mr. Darby's Agreement*, to take the Sum of 3500 l. for them, is entered, without any Preamble.

THUS, whoever conducted this Affair, was well prepared to close a Bargain. It was done by some of the Gentlemen of the City, as it is set forth in the Report; by which, I suppose must be meant, the Aldermen. But, whoever they were, to their Honor, be it spoken, they did not excede their Commission one Farthing. Nor did they indeed obtain the Reduction of a Farthing of the Sum limited and Demanded; so easily, so generously were Affairs concluded, on both sides. To this, the Committee was too polite to dissent. But, before

before Matters were brought to a perfect Conclusion, which in Matters of such Importance, is generally reserved for the *new Commons*, the *Commons* were changed. I then came in, and was appointed on the *New Committee*, of the 22d of *January* 1741.

In this *Committee*, it was, that I first had the Honor of meeting and conversing with Alderman *Kane*. I heard he was a Man of Sense, and of *refined* Notions in *Religion*, as well, as *Politics*. Alderman *Aldrich* was *Lord Mayor*. He had been a Friend, and a Benefactor in the way of my Profession ; so, I vainly imagined, I might have spoke my Mind freely and resolutely before the one, as well, as the other. But, I soon found my Mistake. I had not the good Fortune to agree in Sentiments with either: They had not been accustomed to Opposition. They therefore, could not bear it ; especially from one, that each looked upon, as, by infinite Odds, his Inferior. Alderman *Kane* used many mild, soft, smooth and gentle Arguments to dissuade me from speaking, to take up his *pretious Time*, as he termed it, and that of the *Lord Mayor*, and the rest of the *Gentlemen*, or Aldermen, of the *Committee*, and gave me to understand, “ *that they were not come to spend their Time in talking, but to do Business.*” Now, I unfortunately had learned, that however inconsiderable I might be in my private Capacity, as an *Apothecary*, ready to minister to the Health, even of *Aldermen* ; that in my public Character, as a *Commoner*, the Representative of a Body of *Free Citizens*, I was upon a Par with any Man in the *Committee*, or *Common Council* ; consequently, that I had, as good a Right to be satisfied of the reasonableness, Justice, Rectitude, or Expediency of any thing to be transacted in the City, as any of the *Gentlemen*, or *Aldermen*, of the City, or even, as the *Lord Mayor* ; and therefore, that I had as good a Right to hear and be heard, as they, or any of them. This I insisted on, so strenuously, that Mr. *Kane* could not then restrain his *Choler* ; but, ran out into indecent Warmth against me ; and Alderman *Aldrich*, the *Lord Mayor*, was so disappointed

disappointed in his nomination of me, and so angry, at finding his *Apothecary* daring to rise above, what he judged, the ordinary pitch of his Profession, and giving opposition to his Superiors and Benefactors, that he also grew outrageously angry and soon after, most indecently, dismissed me his Service.

UPON this and some further Opposition to the Measures of the *Gentlemen* of the *Board*, all my Friends were set upon me, to make me desist. But, I was then bound, by every moral and religious, as well, as political Obligation, to discharge an important public Trust. I therefore determined to persevere in my Duty, without giving those, that thundered Threats from Men in Power in mine Ears, any further satisfaction, than *that I dared to be poor, but dared not to be dishonest*.

OUR *Committee* was divided into a *Sub-Committee*, of which five was a *Quorum*. They met from time to time, as they thought fit. Several Objections were made against the *Purchase* of the *Mills*, and other Expedients were offered to answer the Purposes. But, all in vain.

ON the 12th day of March 1741. the *Committee* was called, to complete the *Purchase*, as I afterwards learned. I attended, when, to my no small surprise, I was given to understand, the Bargain for the *Mills* was closed, and then to be perfected under the City Seal. The Town was alarmed, and looked upon it, as a *Sordid Jobb*. And, indeed, it did not to me, bear a much better Complexion. It was the general Cry, that these *Mills* were offered in the public *Coffee-Houses*, for 1800, and some said, for 1600 Pounds. Several asserted this publicly, particularly Alderman *Percival Hunt*.

WE met in the gilded Chamber, where the *City Seals* were got ready, with *Wax* to Seal the Deeds of *Purchase*. Mr. *John Hunt* Son of *Alderman Hunt* above-mentioned, attended, though not then in the *Commons*; And, when he saw how matters were going, went home to alarm his *Father* and his *Brothers*,
who

who soon after came, and gave their Opposition to perfecting this sudden, this Clandestine Purchase.

In this whole Affair, Alderman Kane appeared to me, and to every body else, to be the chief *Agent* and *Manager*. He gave the *Committee* to understand, that they were called to close the Purchase of the Mills of *Island-Bridge*, and without waiting to hear any Answer, asked the *Town Clerk* if the *Seal* was ready? and the *City Agent*, if the *Deeds* were drawn? and, upon being answered in the *Affirmative*, moved, nay, *ordered*, that the *Proprietor* of the *Mills* should be called in to perfect the Sale.

I AROSE and gave this Motion all the Opposition, that I could. I endeavored to shew, that it was a very disadvantageous and an injurious Bargain, and that it might have been obtained upon much better Terms, if the City really wanted it, which was a doubt; I was ready to offer Proofs; But, I was borne down with a Torrent of Violence and Noise, both by Alderman Kane and the *Lord Mayor*; and being supported by none, though there were some cunning, politic Persons by, who approved my Opposition, I was forced to give way, in this Instance. I then read over a Copy of the *Act of Assembly*, under which, the *Committee* derived their Power; and apprehending, they had none other, than to *treat, enquire* into *Matters* and to report the *Facts*, with their *Opinion* upon them to the *Assembly*, who were to ratify, or reject their Report, I urged that, against closing the Bargain. In this, I was more forcibly opposed. I appealed to the *Recorder*. He declared in Favor of my Motion. But, he could no more convince *these Gentlemen* of the City against their *Will*, than I could. So, the *Deeds* were produced to be Sealed. Resolved to stickle, for every just point, I then moved to have the *Deeds* read. But, for this I was more censured, than ever, as a most *boisterous, troublesome Fellow*, ready to oppose every thing proposed by the *Gentlemen* of the City, out of a mere Spirit of Opposition. Alderman Kane said, "that no Man would hereafter attend to do
the

the Business of the City, if after the Gentlemen had spent their Lives in it, every Young Fellow, ever so unknowing in the Affairs, should thus delay and obstruct the necessary Business." He said, "that the City-Agent and Town-Clerk were to be trusted with more than that; that the Recorder had made the Draught; that Mr. Noy had the Deeds ingrossed from that Draught, and that to be sure, he saw they were right, and therefore, insisted, that my Lord Mayor, should dispatch the perfecting of the Deeds." I answered, "I was there a Trustee for a particular Corporation, and for the whole City, and that I had as good a Right to have my Doubts and Dissatisfactions solved and discussed, as any Man; that I disapproved the whole Proceedings, and gave my Reasons; and yet had received no Satisfactory Answer; That if the City Seal must be clapped to these Deeds, which I could not think the Committee empowered to do; as a Trustee, I was intitled, and in Duty bound to see what they contained, as much as if I was going to sign and seal them for my self: And therefore, I demanded their being read, before they should be perfected."

This caused a more violent Tumult, than ever, in my powerful Antagonists. When the Storm was a little abated, the Recorder threw in some timely and weighty Arguments in Favor of my Motion, which silenced the Clamor, of the Gentlemen of the City; and taking Advantage of this, some others joined in crying out for the reading them. Accordingly, they were read. — How shall I repeat? — The Deeds of a Purchase, — Made under the Influence, if not the absolute Direction of Alderman Kane, the reading of which that mild, smooth-tongued, pious, good Man, of conscious Innocency, so strenuously opposed; were all over full of — Blanks, — for Sums and Dates! — No doubt, they might, and probably would, be filled up, at Leisure, any where, and so I believe Deeds of all kinds have heretofore generally been filled, without taking up the pretious time of the Gentlemen of the City, the Aldermen, or other
great

great Men, with such Trifles. But, I confess, I was weak enough to suspect it a Fraud, with great Submission to Alderman Kane's *conscious Innocency*, and to the *Power, Dignity, and Character* of his Associates. I declared these my Sentiments above Board, and I was followed, even by some of the *Rose Club*, particularly by Alderman Sir James Somervel, Alderman Hunt, and others, so that our Antagonists were so far put into Confusion and Disorder, that they, in Effect, gave up the whole Question for the present. But, the Lord Mayor told Us, "that it should be done in *spight* to us; that he would call a *Post-Assembly* the next Day, that should perfect the Bargain." And he was almost as good, as his Word. It was done, as he directed, in a Day or two following, without admitting any Proofs of the Allegations I had made.

To prepare for this *Post-Assembly*, the Recorder told them, they should prepare a Report. For this Purpose, the Question was put, whether or no it was the Opinion of the Committee, that the City should purchase the Mills? It was carried in the *Affirmative*, and ordered to be reported.

On the 15th of March, a *Post-Assembly* was summoned. Such of the Committee as attended, were called to make, or sign the Report. I attended, and though I found every thing was carried with *Fury* against me; I determined, nevertheless, to use all my might in opposing every thing, I apprehended destructive, or injurious to the City; and if I was to lose ground, it should be *Inch, by Inch*.

By the former Act of Assembly, the Committee claimed a power of borrowing 3500 l. to be paid to Mr. Darby. By which exchange, Two of the Gentlemen of the City, the Receiver-General and the Treasurer, would share between them, the Poundage of the Purchase Money, which would amount to a considerable Sum. Thus far then, we got the Committee brought to a Sense of their Duty and the Interest of the City, That they reported, "their having agreed for the Mills, &c.

at Island Bridge ; that the Recorder had examined Mr. Darby's Titule, and prepared a proper Draught ; that they were of Opinion, that upon executing the Deeds of Sale, an Obligation under the City Seal, be perfected to Mr. Darby for the aforesaid Sum, at 5 per Cent, instead of borrowing so much."

THIS Report was made, the same Day, to a very inconsiderable Number of the Commons : For, as well as I can recollect, they did not much excede forty, the smallest Number, that can act. It was then much suspected, that they were not regularly summoned, and it was afterwards credibly reported, that many were forbid to come to this Assembly, or otherwise discouraged from attending. I opposed the Report in the Committee, and it's being received, in the Commons ; and offered to prove, that it was a very disadvantageous Purchase, and that it had been offered to Sale, more than once, for about half the Sum stipulated. But, the Committee was influenced by the Gentlemen of the City, and the Commons were then, at best, raw and unexperienced, did not know they had a Right to reject, or oppose any Thing, that came under the Sanction of a FIAT from the Gentlemen of the City ; so, they confirmed this Report, and the Sale was immediately after, finally closed. And, though all the Materials and Appurtenances belonging to the Mills, Ware and Water-Course, were actually purchased, yet the Proprietor brought in a separate Account for a Boat, Net, Beam and Scales, a Bolting-Cloath, &c. without which the Mills were imperfect, for which, as well, as for reparing Breaches made in the Wares, before the City got Possession, nay, before the Proprietor made out his Titule, the Committee thought fit to pay.

Now, against all this, I publicly inveighed, in the Committees and Assemblies : I wrote against it, in the Year 1743, as You may see in *Drvelina Libera*, p. 64, 65, but, I was not so much as contradicted ; till, at some Years distance, when it may well be supposed, the

the principal Proofs had lapsed my Memory : For, no sooner had I glanced at the Story of the Mills, in the Corporation Halls, without naming any Name, or painting any Character, than it offended Alderman Kane's *conscious Innocency*.

In attempting to account for the most extraordinary Proceedings of this Alderman, in getting his Son-in-Law to write to Mr. Darby about the Mills ; in getting the Report, concerning the supplying the City with Water, from the Liffey, near Lyons, suppressed, or laid aside ; in getting his Nephew, Mr. Dunn, and Mr. Dunn, of all the Committee only, to view Island Bridge Mills, and to project the new Works ; in getting some of the Gentlemen of the City to enquire into the Purchase, and to ascertain and determine the Value of the Mills ; in getting a Committee empowered to contract for the Sum mentioned ; in hurrying that Committee to perfect Deeds, without making a Report to the Assembly ; nay, in almost compelling them to put the City Seal to Deeds, without reading them ; in which, upon Reading, many Blanks appeared ; I say in endeavoring to account for any Man's going these Lengths, it was generally presumed, that the Proprietor had borrowed Money from Alderman Kane, or was otherwise indebted to him, and I believe I might often have made this Presumption, or Supposition also, in public Conversation, as well, as in the Halls. But I believe no-body will suspect, I could be fool, or mad enough to assert it, as a *positive Fact*, when I could know but little of the public Transactions of the Board, and much less of their private Affairs. Alderman Kane and his Friends say, " that Mr. Darby, was an absolute Stranger to him and never indebted to him on the Bank in which he is concerned, one Farthing. Nor shall We find, whether or no, Griffith was in his Debt. Then it is to be supposed, that Alderman Kane took all these Pains, for nothing, to bring the City into this injurious, clandestine Bargain ! — Did he so I am satisfied. I envy him, not his *conscious Innocency* or utter Unacquaintance with Mr. Darby.

He says, "*the Corporation have been considerable Gainers by the Purchase.*" — I shall not now enter into the Dispute ; but let me ask, would they be *less Gainers*, had they bought them cheaper ? which, I am persuaded they might have done. He would have me, I suppose, summon Evidence to prove these several Allegations, Presumptions, or Suppositions ! I was ready to do so in a proper Place, had *he* and his *Faction* permitted me. It was not then contradicted : It may therefore, be reasonably presumed to be true, were there none other Evidence to be offered. But, for his further Satisfaction, let him ask Alderman *Percival Hunt*, who asserted this for Fact, as much, as I did. And if Mr. *Rose*, Apothecary, in *Skinner-Rowe*, Mr. *Onge*, the Brewer, in *Queen-Street*, are inclined, they may give further Information. So might Mr. *White*, late of *Meath-Street*, if he were living, and many others, who, in this Tract of Time, and Multiplicity of Business, have escaped my Memory or Recollection. All I contend for is this, that the Bargain was clandestinely suddenly, and almost forcibly made, by the designing, crafty *Ring-leaders* of a giddy, top-heavy *Faction*, of which Alderman *Kane* was generally accounted the *Head*. And, that he used the above recited, in my Judgement, unjust Measures, to effect and conclude it, publicly and visibly, for deep Reasons, which I shall not presume to fathom.

Now Mr. *Kane*, in the Preface to his Letters and mine, which he *ordered* to be published ; is pleased to call my *Honesty* and *Courage* in Question. Alas ! Good Man ! His Memory surely fails him, or his *Emanuensis* must have mistaken. What better Proof could he have of both, than that I constantly, steadily, uniformly and resolutely opposed the *Board* of *Aldermen* in general and him in particular, from the first Day, in which I knew them, to this Day, surrounded, as they were, till lately, with a Multitude of *Venal, desperate Wretches*, who were always ready to perpetrate any Wickedness, they could prompt ? If

this does not satisfy him, let him choose any further *Test*, and he shall find me ready to stand the Trial.

THIS *Narrative* must have proved tedious and disagreeable, as well to You, as to me. I have been constrained to enter thus minutely upon it, in Vindication of a Character, assiduously traduced and vilified by Alderman *Kane* and his *Creatures*, though the utmost Crime, that can be imputed to his public Conduct, is his Care and Fidelity in the Service of the Public, in which as a Man, and unassisted and opposed he might, and probably has committed many Errors and Mistakes.

It is with no small Reluctance, I am forced to mention the Names of Mr. *Mathew Weld*, Mr. *James Dunn*, and Mr. *Darby*, in a Light, that may tend to glance any Reflection upon either. To the Honor of Mr. *Weld* be it spoken, and to that of his worthy Father, to whose Memory, I shall ever pay due Reverence ; at the same Time, that his Uncles, *Joseph* and *Charles*, who were, during the Dominion of the *Rose-Club*, in the *Commons*, and the *Doctor*, who was not publicly, in the *Councils* of the City, however he was interested secretly in the Success of the *Schemes* of the *Faction* : I say, that when these Gentlemen, particularly the later, under the specious Mask of Friendship, publicly and privately avowed, were indefatigable in opposing me with bitterness in public, and wounding my Character, even, in my Profession, in secret, Mr. *Edmond Weld*, and Mr. *Mathew Weld*, though they differed from me ; yet, differed like sensible, undesigning, moderate Men and Gentlemen. And I gladly confess, that I think Mr. *Mathew Weld's* Character, in general, not only reproachless, but most highly praise-worthy.

As for Mr. *Dunn*, I do not know a Man of a better Heart. And, do believe, he was led undesignedly, unknowingly, or perhaps with a Good, though a mistaken, Intention, to act the Part he did, in this Affair.

AND, as for Mr. *Darby*, I do not think he was to regard, who was to be the purchaser ; he might, without

out any blame, make the most of his Bargain, and I believe he did so, as honestly, as Bargains are generally made.

WHAT I have said on this Head, in this, as well, as former *Addresses* may, I think, plainly demonstrate to all thinking Men, what a distempered, broken Constitution that of our City is now become. I shall hereafter endeavor to point out an Adequate Remedy.

I am,

MY MOST BELOVED *and* HONORED BRETHREN
and FRIENDS,

Your ever faithful,

most dutiful,

and,

most obliged Servant,

DUBLIN, Sept. 15th,
1749.

C. Lucas

1871

any blame, make the most of his bargain, and I
 have he did so, as honestly, as I could have
 made.
 That I have said on this point, in this, as well as
 in my other papers, I think I have sufficiently
 demonstrated; when I have said, that I shall
 endeavor to point out the error of my way, I shall
 do so, as honestly, as I can.



I am,
 Sir,
 Your most obedient servant,
 and I have,

Yours faithfully,

Wm. Smith,

and,

most obliged servant,

C. Lucas

Received of the
 1871

